

RECEIVED

ORDINANCE NO. 10-3

MAR 22 2011

AN ORDINANCE OF THE VILLAGE OF ELBA, NEBRASKA, PROVIDING THAT BUSINESS HOLDING A LICENSE ON PROPERTY LICENSED TO SELL ALCOHOLIC LIQUOR MAY STAY OPEN AS PROVIDED IN THIS ORDINANCE; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. NEBRASKA LIQUOR
CONTROL COMMISSION

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF ELBA, NEBRASKA:

SECTION 1. 53-179 R.R.S. Neb. 1943 provides when the sale or dispensing of alcoholic liquors are forbidden during certain hours; the exceptions; and provides when alcoholic liquor in open containers is forbidden and when such sales are unlawful after hours and further provides that if adopted by a vote of at least two-thirds of the members of such local governing body, the governing body may permit retail sale or dispensing of alcoholic liquor for consumption on the premises, excluding sales for consumption off the premises, later than 1 a.m. and prior to 2 a.m. on any day. The governing body of the Village of Elba provides and permits, at the discretion of the holder of the appropriate license the exact closing time prior to 2 a.m., the retail sale or dispensing of alcoholic liquor for consumption on the premises, excluding sales for consumption off the premises, later than 1 a.m. and prior to 2 a.m. on any day.


SECTION 2. It shall be unlawful on property licensed to sell alcoholic liquor at retail to allow alcoholic liquor in open containers to remain or be in possession or control of any person for purposes of consumption between the hours of fifteen minutes after the closing hour permitted to the licensed premises and 6 a.m. on any day. Nothing in this section shall prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic liquor is prohibited by this section.

SECTION 3. Any Ordinance or parts of an Ordinance in conflict with this Ordinance is hereby repealed.

SECTION 4. This Ordinance shall be in full force and take effect from and after its passage, approval and posting according to law.

PASSED AND APPROVED this 4th day of January, 2011.

(S E A L)


Chairman

ATTEST:


Village Clerk